

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 16TH JULY 2007 / 25TH ASHADHA 1929

WP(C).No. 20402 of 2007(D)

PETITIONER:

LAKSHMI, W/O.VISWANATHAN,
KOLAYAKODE HOUSE, PUTHUKKODE, P.O.MANJAPARA,
ALATHUR TALUK, PALAKKAD.

BY ADV. SRI.V.V.ASOKAN
SMT.S.AMINA

RESPONDENTS:

1. ADDITIONAL DISTRICT MAGISTRATE,
PALAKKAD.
2. THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION,
KSEB, ALATHUR, PALAKKAD.
3. SMT.SULOCHANA,
D/O KELI, KOLAYAKODE HOUSE,
PUTHUKKODE , P.O.MANJAPARA, ALATHUR TALUK,
PALAKKAD, KUNNATHURMEDU, PALAKKAD.
4. SMT.JANAKI VELAYUDHAN,
W/O VELAYUDHAN,
KOLAYAKODE HOUSE, PUTHUKKODE, P.O.MANJAPARA,
ALATHUR TALUK, PALAKKAD.

R1 BY G.P. SMT.N.SUDHA DEVI
R2 BY ADV. SRI.P.P.THAJUDEEN, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 16/07/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

.....
W.P.(C) No.20402 of 2007
.....

Dated this the 16th day of July, 2007.

JUDGMENT

The petitioner is challenging Ext.P3 order whereunder the ADM has approved electric line over petitioner's property for giving domestic connection to the third respondent. Standing Counsel for KSEB on instruction produced a sketch which shows the line approved by ADM and the alternate suggestion of the petitioner. The approved line is from a post marked as A installed in petitioner's property wherefrom petitioner has taken an agricultural connection. 40 metres of overhead line is to be drawn over petitioner's property which is paddy field to give connection to the beneficiary. As against this, the alternate route involves drawal of 180 metres of electric line which cuts across the property of one Janaki Velayudhan who has not given consent. On the face of it, alternate route suggested by the petitioner is four times longer and causes much inconvenience to another land owner. In preference to this, I feel the ADM rightly approved drawal of line from petitioner's property which being paddy field will not be affected in any way as paddy cultivation is possible beneath electric line. In the circumstances, ADM's order is upheld.

However, if petitioner desires, there will be direction to the second respondent to draw the line through underground cable provided petitioner furnishes quality cable or meets the cost.

C.N.RAMACHANDRAN NAIR
Judge

pms